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From Forney's Press.

GREAT MEETING AT PHILADELPHIA.

The Democracy at National Hall, Feb. 8, 1858.

SIX THOUSAND FREEMEN IN COUNCIL!

GREAT ENTHUSIASM!

SPEECH OF HON. F. P. STANTON,

AND

LETTER OF GOVERNOR WALKER.

Col. JOHN W. FORNEY presided, and appropriate resolutions were adopted with intense enthusiasm.

Hon. FREDERICK P. STANTON, late acting Governor of Kansas was then introduced. He was received with deafening demonstrations of enthusiasm, which did not subside for some minutes. When quiet had been restored, Mr. Stanton spoke thus:

MR. PRESIDENT AND GENTLEMEN OF PHILADELPHIA: I regret that Governor Walker has not yet arrived in the city—for two reasons: first, because it will deprive you, at least for a time, of a much clearer exposition of the subjects which are before you than I shall be able to give; and again, because it will impose upon me a task very different from that which I had supposed I should be called upon to perform here to-night.

I proceed, however, to give you such plain and unvarnished statements in reference to the affairs in which, for the last year, I have borne an humble part, as will serve to give you at least my view of those affairs and of their consequences.

I do not come to complain of any act of the Executive of this Confederacy towards myself. I do not come to make any exposition of my own conduct or any defence of myself, except so far as it may be necessary to elucidate the subject which is at this time before you, and before the whole country.

It is not necessary, on the present occasion, for me to go back and enter upon the history of Kansas during the time anterior to that when Gov. Walker and myself, as Governor and Secretary of that Territory, went upon the mission which has terminated, I fear, gentlemen, not so disastrously for us as for the country which we propose to serve, and which we love, if you will allow me to say it, far beyond our own personal advantage or advancement.

Nor will I go back to the Democratic platform adopted in 1856 at Cincinnati, for the purpose of showing you (who know them so well), the principles to which, not merely Mr. Buchanan, not merely Governor Walker, not merely all who have had

anything to do with the administration of affairs under either Mr. Buchanan or Governor Walker, but the whole Democratic party were pledged—the doctrine of popular sovereignty, as understood by the Democratic party, as proclaimed by their representatives at Cincinnati in 1856. [Applause.]

But you will pardon me if I undertake to state to you what many of you—and perhaps all of you know—that before Governor Walker or myself would accept those positions, (not positions which we sought, but positions which we were requested to take,) there was a distinct and unequivocal understanding of the policy that was to be pursued during the administration of Governor Walker, and of myself so far as the secretary of the Territory had anything to do with the administration of its affairs. In the conferences between the President and Governor Walker and myself, and in the published instructions of Governor Walker and myself (which I hold in my hand), these principles were distinctly avowed—so distinctly that it seems to me impossible that any misunderstanding should exist in the mind of any one who will give proper attention to them.

I do not intend to weary you by reading long extracts from public documents; but there are in those instructions some expressive words, which, in themselves, contain everything—not only the germ but the whole substance of popular sovereignty—of the right of the people of the States of this Union to form their own institutions and to establish their own Government.

In the first letter of instructions to Governor Walker, (a copy of which was sent to me, for my guidance, when I preceded him to the Territory of Kansas, as the acting Governor,) General Cass, writing at the dictation of the President of the United States, instructed us in this language:

“The sacred right of each individual must be preserved! and that being accomplished, nothing can be fairer than to leave the people of the Territory, free from all interference, to decide *their own destiny* for themselves.”

Again: “When such a Constitution shall be sub-

mitted to the people of the Territory, they must be protected in the exercise of their right of voting for or against that instrument; and the fair expression of the popular will must not be interrupted by fraud or violence."

For my part, gentlemen, when I undertook that mission I held these principles to be sacred; I held them to be fundamental; I held them to be the only possible talisman by which the difficulties in that unfortunate territory could be made to vanish forever—by which quiet could be restored and the people clothed with all the rights which they possessed under the Constitution of the United States and by the organic act establishing the Territorial Government.

Now, it is very true, as I have stated on other occasions, that when I went to the Territory I supposed that the single question of slavery was the only one of interest to the people of Kansas, and that the fair settlement of that single question would be perfectly satisfactory to them. But I soon found this to be a great mistake. I soon found that the difficulties lay far deeper in the popular mind than this. I found that they affected the very Government itself—affected the whole machinery of the Territorial organization. I found the people of that unhappy Territory in a state of great dissatisfaction—ready, upon the slightest provocation, to break out into civil war. I do not deny the statements which have been made in the recent message of the President of the United States, in reference to the rebellious disposition of the people of Kansas during the administration of Governor Walker, and of myself, when I acted in the character of Governor. But in order to do justice to the people of Kansas, (whether Democrats or Republicans, pro-slavery men or anti-slavery men)—in order to obtain the truth, and the whole truth—in order to do justice to my own conscience—it is necessary, it is right, it is just to go behind this fact, and ascertain how far the people of Kansas were justifiable—and if not justifiable, how far they were excusable—in the position of hostility which they assumed against the Territorial Government.

I do not, my fellow-countrymen, stand here tonight to justify the conduct of the people who have resisted the Territorial Government. I do not stand here to apologize for any of the acts of violence, and outrage, and wrong which may have been committed on the one side or the other. But I do believe and maintain, that in order to give a fair exposition of the facts, it is necessary that you should know and appreciate the circumstances under which they acted—the complaints they made—the wrongs they suffered, if they did suffer wrongs.

The substance of the complaints made by the people of the Territory, when I arrived in Kansas, was that they had had no fair participation—indeed, no participation whatever—in the government of the Territory which was established over them. I found there intelligent men from almost every State in the Union—men from your own great conservative State. I found them settled upon their farms—intelligent, industrious, sober, good citizens, desirous of peace and order. Yet I found them denouncing the Territorial organization, many of them declaring that they would never yield obedience to it. And why? The simple reason offered was, as I have already stated, that they had been by violence and fraud excluded from any fair participation in the election of the officers of the Territory—in other words, that the Legislature of the Territory had not been elected by the people of the Territory, but that the House of Representatives and the council had been elected by the population of a neighboring State, or by fraud and outrages which left to the people of the Territory no possible opportunity of conducting their own affairs in their own way, under the Territorial organization.

Such was their complaint. I did not know certainly how much truth there might be in these com-

plaints. But it was certainly an astonishing thing—a fact calculated to arrest the attention of any man, or any public officer who desired to do his duty to the whole country—to see the great mass of the population of the Territory resisting the laws, refusing obedience to them upon the ground (which doubtless they sincerely believed) that these laws had been unjustly imposed upon them.

Under these circumstances, Governor Walker and myself—he as Governor, and I, in his absence from the Territory, as Acting Governor, with the same power and authority—had the unlimited control of that portion of the army of the United States which was within the Territory. When I say "the unlimited control," I mean unlimited so far as the law allowed the use of the forces for the purpose for which they were required; that is to say, the officers of the army were left no discretion, but were bound to obey the command of the Governor, the whole responsibility resting upon him, and not upon the military officer. We did not doubt—we knew, as any man having the same opportunity would necessarily have known, that a vast majority of the people entertained these sentiments in reference to the Territorial Government. Of this fact there was not the slightest question. Three or four or five to one of the people told us to our face that they would not obey the laws, because, as they said, those laws were imposed upon them by illegitimate authority; they had been defrauded and cheated, and they would not submit.

In this state of things, Governor Walker and myself, generally in company, went among the people for the purpose of listening to their complaints, ascertaining their sentiments, their wants; and we endeavored to persuade them as peaceable American citizens to submit to the laws until they could right themselves at the ballot-box. I was astounded when they laughed in my face with scorn and mockery at the very mention of the ballot-box. They said that the local officers were the merest and most unpurulent partizans, utterly dishonest in these matters of public elections; and that if their neighbors of Missouri did not come into the Territory for the purpose of out voting them, these officers would cheat and defraud them by forged votes made for that purpose.

I confess that I could not believe these things. I did not know certainly whether such things had transpired before in the history of that Territory. But Governor Walker and myself, in the strongest language we could command, in the most earnest manner, pledged reputation, honor, everything, that at the ensuing elections they should have a fair chance at the ballot-box. [Great applause.] We pledged our sacred honor, that so far as we had anything to do with it, no fraud, no trick, no legerdemain—nothing which we could reach should succeed in depriving them of the sacred right of managing their own affairs by their own votes. [Cheers.]

Especially did we say that the Convention which was about to be elected—as we said afterwards when it was about to assemble—ought, in our judgment, to submit the Constitution which might be framed, to the vote of the people. We appealed to the instructions of the President of the United States; we appealed to that solemn understanding which had been had between the President and Gov. Walker and myself, not only upon these instructions, but in the interviews had before we went to the Territory—we appealed to these, and told the people of Kansas that we should be supported in that position by the President of the United States and his Cabinet. I think we had a right to give this assurance to the people of Kansas; I think we were justified by the letter of the instructions given us by the President; I think it was no unlawful or improper interference with the affairs of the people of that Territory for Governor Walker and myself to assure the people that the Convention

certainly ought, and probably would, submit the Constitution to the people.

But Gov. Walker, in his celebrated Topeka speech, made at a very early day after his arrival in the Territory, went further, and said that if the Constitution should not be submitted to the people he would join them, the people, in all lawful opposition to its adoption by Congress, and would assist them, by every lawful means in his power, to prevent the imposition upon them of a constitutional instrument upon whose character they had had no opportunity to decide. I think that these assurances on our part were in strict conformity with the position of the President and his instructions to us.

But whether they were or not, one thing is certain (for I hold in my hand now the documentary proof,) that not a single position of this kind was taken by Gov. Walker, during his whole administration of the affairs of that Territory, that was not immediately or soon afterwards communicated directly to the President of the United States.

Gov. Walker informed the President that he had told the people of the Territory that they ought to be permitted to vote upon the Constitution, and that he would oppose it if it were not submitted to the people. I could show you, by reading from this document, that that is repeated over and over and over again in Gov. Walker's dispatches to Gen. Cass, and to the President of the United States.

But in all the correspondence of the State Department or the President of the United States with Governor Walker, not one word is to be found of reproof or dissent from these positions assumed by him, and Mr. Buchanan suffered him to go before the people of Kansas, and in his name and by his authority, following his instructions to the letter, to assure the people that they ought to have the right to vote upon their Constitution; and if that right was not allowed them, that the Constitution ought to be rejected, and, in so far as he could bring it about, that it should be rejected. I do not say, gentlemen, that Mr. Buchanan pledged his honor to this, but I do say that Governor Walker pledged his, and I pledged mine, with the full knowledge of the President, and without any dissent or reproof on his part. [Cheers.]

I think if it was possible to investigate this subject, it would be disrespectful to the President (and certainly I do not mean to be disrespectful to him here in his own State, before this intelligent audience, in the city of Philadelphia) to ascertain the facts, it would appear that he had said to a hundred individuals that he approved the course of Governor Walker up to a certain time, when, perhaps, in his judgment, it became necessary, for the good of the country, [laughter,] to modify his position. [Continued laughter and applause.]

Now, fellow-citizens, there are several things to be taken into consideration as we go along with this narrative, which are extremely important, although they may seem to be small in themselves. When we first commenced this series of addresses to the people of Kansas, for the purpose of communing with them and ascertaining their complaints and their wants, a minority (and a very small minority it was) that had possession of the Territorial Government became extremely restless, and in murmurs and low tones, at first, complained, and afterwards denounced Governor Walker, for having intercourse with Black Republicans. They did not wish us to go amongst the people; and it was very evident they did not wish the people to vote, because they knew perfectly well that if the people could be prevailed upon peaceably to go to the polls and deposit their votes upon the pending question, whether it was for officers, or anything else, that they would be voted down, and would lose their power. Hence it was they complained, in the first instance, at every step taken with a view of conciliating the people, and bringing them back to a recognition of the law.

Having the army, or that portion of it which was in Kansas at our command—feeling it to be our duty, under the circumstances, to maintain order, and even to enforce existing laws, inasmuch as they evidently were laws, and bound to be enforced until they were legally altered at the ballot-box—we on all occasions informed the people of our determination to maintain the laws, but at the same time to protect them from wrong, whether threatened by intruders from other States, or by a falsification of the records and the poll-books from fraudulent voting, and every other kind of fraud it was in our power to reach.

I do not believe it ever was the intention of Governor Walker—it certainly never was mine—to occupy a place in the territorial Government of Kansas and see frauds, wrongs, and outrages perpetrated at the ballot-box or elsewhere and continue to enforce upon the people the laws thus maintained. I say here to-night, that I would have resigned my commission—I would have thrown it in the face of the authorities at Washington [applause]—if I had understood, or thought, that I should be required to continue the same state of things in Kansas which had existed there previous to my arrival.

I would never have consented to become the instrument of oppressing the people, Black Republicans, or anything else which they might be, [cheers,] by maintaining a Government of the minority, by force and by means of the Army of the United States. One fact is beyond all dispute—that since I have been in Kansas, and so far as I have known anything of her history, the government there has been the government of the minority. [Applause.] It is true that the vast majority of the people, upon several occasions, have refused to participate in elections. They have stood off and said, "We have no lot or part in this proceeding, we have no confidence in them, we know we cannot get justice, and therefore we turn away from them and will have nothing to do with them." Whatever may be the truth in regard to the complaints of the people of Kansas, it certainly was a lamentable state of affairs, which must have been the consequence of some great wrong, real or imaginary, inducing the people thus to refuse to participate in their own government at the very time when they were clamoring for the opportunity to govern themselves. You are all aware that I went to the Territory about the middle of April.

When I went there the census which had been prescribed by law, passed the winter before, authorizing the assemblage of a Convention, was in process of being taken. The returns were to be made to the secretary by the first of May and the apportionment was then to be made by the Governor, and the election was to take place on the 15th of June.

I arrived there just about the conclusion of the taking of the census, and I learned that the great mass of the Republicans, or, more properly speaking, the free-State men of the Territory, had refused to participate in the process of taking the census. By the terms of the law, it is true, they were not required to have any active agency in it; it was made the duty of the Territorial officers of the Territory—of the sheriffs of the different counties—to take the census of all the inhabitants; and I learned that the free-State men complained loudly and bitterly that great numbers of them had been denied a registration. Their names were not upon the lists, although in many instances they were well known to the community, and of prominence and respectability, who could not have been unknown to the officers whose duty it was to take the census. It is equally true that the Probate Judges were required to correct the census lists, and these individuals, whose names were omitted, if they had the curiosity to examine, had also the opportunity to go to the Probate Judges and inform them of the omission, and ask that their names should be put upon the registry. But they did not choose to do this, and a very imperfect registration

of the people of the counties in which the registration was attempted was made. There are thirty-eight counties, including the distant county of Arrapahoe, in the Territory of Kansas.

The main population of these counties lie on the borders of the Territory adjacent to the State of Missouri. It is in these border counties that the pro-slavery men had almost their entire strength; in the interior of the State, the great mass of the people, with but few exceptions, were men from the great Northern States of the Union, with occasionally men from Tennessee, Kentucky, and Missouri, and, very much to my astonishment, many of these latter in favor of making Kansas a free State. [Great applause.] In nineteen of these interior counties there was no attempt whatever made to take the census, or obtain registration of the names of the people, and in the other nineteen there was but an imperfect registration obtained, because I learned that in some of these counties the people had opposed the taking of the census because they were opposed to the execution of the law. In Anderson county I was informed by Judge Wilson that he had been expelled from the county where he was probate judge, and would have had the census taken in the absence of the sheriff, but many of the people informed me that his statement was not true, and that they did not resist having the census taken, but actually desired to be registered in order that they might vote; and afterwards the people of this county did make a registration of their own electing delegates to the Convention, who asked to be admitted to seats in that body, but were refused by the sixty members who were elected under the law. In other counties, to my certain knowledge, the failure to take a complete registration, or any registration at all, was the fault of the officers and not the fault of the people.

When it became my duty to make the apportionment for delegates to the Convention, I did not know the real state of things in these counties, and it was impossible for me to know it. I was but recently in the Territory. I had arrived there in the middle of April, and the returns had been made to me from the first until the middle of May, and after I had received all these returns which actually came in, being the imperfect registration of nineteen counties, I waited with great anxiety to receive the returns from other counties. I waited until the last minute that I thought it safe to wait, before making the apportionment, in order that the election might take place at the time required by law; but no further returns coming in, I felt it to be my duty to make the apportionment for delegates to the Convention, upon such returns as I had received. That was my duty under the law. I really did not know what was the condition of things in these counties. I did not know whether there were any officers there. I knew that the Legislature had appointed such officers, but the counties were distant from my place of residence, and it was impossible for me, within the time allowed by law, to see or ascertain whether they had discharged, or attempted to discharge their duties. I was utterly in the dark in reference to the true state of affairs when I made the apportionment. The sixty delegates to the Convention, therefore, were apportioned among the nineteen counties, composing one-half of the Territory, from which the imperfect registration had been obtained. It has been said in the Territory, by the opponents of my party (if I could be said to have a party in that Territory) that I ought not to have made the apportionment until I had received the returns from every county. But the law required that the election should take place on the 15th of June, and I did not know what number of people there were in these counties, and could not know anything about the fact. I did not know that there was a sufficient number of people in those counties to justify me in withholding the apportionment which I

was directed to make by law. As I have stated, I waited until the last hour, anxious that Governor Walker should arrive in the Territory, and I should have his advice; but he did not come there until the 27th of May, and the election taking place on the 15th of June, and ten days notice was to be given in every county, and the information was to be distributed from the centre to the extremities of the Territory within the period between the 27th of May and the 15th of June, so that delay was impossible. I did my duty; but I say to you here to-night, that if I had supposed, or, to be more particular, if I had known at that time the real state of affairs in the nineteen counties, in which no registration had taken place, and if I had supposed it possible that the Convention elected by the other nineteen counties, under those circumstances, could have refused, supported by any respectable authority in or out of the Territory, to submit the Constitution to the people, I never would have made the appointment. [Cheers.]

I would have suffered the whole law to fail, because, in my judgment, by the proceedings which have subsequently taken place, the law has been made an engine of wrong and oppression; and I never would have been the instrument of imposing such a Constitution upon the people of any State or Territory in this Union. [Immensely applause.] It was not in the power of Gov. Walker, with all his persuasive eloquence, to inspire the people of Kansas with confidence sufficient to go into the election, on the fifteenth day of June, for delegates to the Convention. I believe that if prior to that time a fair registration had been made of the voters of the Territory, that Gov. Walker would have induced the people to go into that election. But it was not made—the people said that the great mass of their number had no power or right to vote, because their names had not been registered, and the comparatively few who had been registered refused to separate from the members of their own party who had been excluded. They did not go into the election on the 15th of June, and the consequence was, that out of the 9,250 voters, whose names had been registered, the sixty delegates who framed the Lecompton Constitution received and were elected by less than 2,000 votes. [Laughter.] There were in all about 2,200 votes cast, and of these the successful candidates received 1,800, which, upon an average, was about thirty votes apiece. [Laughter.] I confess to you that it never occurred to me as a thing probable, or even possible, that these sixty men, thus having placed in their hands the interests of a people of that character, could have dreamed of refusing to submit their work to the great masses who had no participation, or opportunity to participate, in the election. I did not dream of that contingency, much less did I ever suppose that any respectable authority outside of Kansas, or even in Kansas, would seriously have contended for such a proposition; least of all could I have supposed that, with the instructions from the President before me, he could have been found at this time proclaiming to the Congress of the United States, and to the world, that this Constitution ought to be adopted by Congress, and fastened upon the people against their express and unequivocal protest. [Applause.]

There is another little piece of history connected with this matter which serves to show the real state of things in that Territory at that time. Towards the middle of August, or the first of September, when the October election was coming on, it became apparent that Governor Walker's efforts were about to be successful in inducing the great mass of the people of the Territory to go quietly and peaceably to the ballot box, under his pledge that they should have a chance to vote; and the minority, who had controlled the Government, saw that in this event their power would be utterly gone. It was then that this celebrated tax question was raised. The people of the Territory, in resisting the laws, had refused to pay

the taxes for the same reason that they had refused to participate in the operation of other parts of the Government. In many sections of the Territory no assessment had been made and no taxes could be paid. Some years previous a law had been passed requiring a tax qualification of every voter, but the Legislature of 1857, in the plainest and most distinct manner, repealed this law, and it was no longer, in the judgment of the best lawyers in the Territory, one of the requirements of the law that a man should have paid a tax in order to qualify himself as a voter. The minority insisted that this old repealed law was still in force, and they procured the opinions of one of the United States Judges and the United States District Attorney to that effect, and they called upon the Governor and the judges of election to enforce it, and issued circulars to them, in which they advised them to exclude from the polls every man who had not paid tax. The effect of this would have been to exclude probably nine-tenths of the people of the Territory from voting, and the Government would have still remained with the minority, and civil war would have been inevitable. There would have been by this policy no possibility of ever bringing the difficulties in Kansas to a close.

Then it was that Governor Walker appealed to the President of the United States, giving his opinion that this tax law had been repealed. The President of the United States, with the sanction of his whole Cabinet, agreed with Governor Walker, maintaining that the tax law had been repealed, and that the tax qualification no longer existed, and ought no longer to be enforced in the elections there.

I mention these facts to show the difficulties under which we labored, the devices resorted to on the part of the minority to maintain the power which they had obtained—I will not say, gentlemen, by the means alleged by the great mass of the people, who, on that account, refused to participate in the Government; but by some means or other, fair or foul, the great majority of the people withheld all support, all countenance from the Territorial Government. The first—the absolutely most important and indispensably essential thing to enable the people to get control of their own affairs—was to remove those difficulties and embarrassments, in order that they might at the polls assert their rights. It is true that up to the time of the October election, I could not believe—I did not altogether believe—that the complaints of the people of Kansas were just—were true. No man could have credited the outrages which they asserted had been perpetrated upon them. But, immediately after the October election had transpired; when the minority which had had entire control of the Government from its inception, saw that the power was about to depart from them, I was astounded—my eyes were opened—when I received at the Executive office in LeCompton the celebrated returns from Oxford and McGhee. [Laughter and applause.]

I found the return from Oxford to be a roll of paper forty or fifty feet long, containing names as thickly as they could be written. [Laughter.] In utter astonishment I took it and rolled it along the floor; it extended from one end of the building in which the office was, to the other. It came from a county in which I had been, and where afterwards I went with Governor Walker to ascertain something about the facts. I knew that Johnson county was very largely occupied by Indian reservations, upon which there could be no voters; I knew that the rest of the land in that county was comparatively unsettled. But when I went into the county, passing down one of the main roads through it, I was still more astounded to find that I would sometimes ride for ten miles without finding a single house upon the road! Looking over those beautiful, undulating prairies, at the distant hills, I would once in four or five miles see a little clump of cabins, probably four or five cabins upon as many quarter-sections of land; and

upon going up to these cabins, I would find some of them without roofs, without doors, without windows, without chimneys—and this when winter was approaching. This was the county from one single precinct of which 1,628 votes had been returned! [Great laughter and applause.]

Governor Walker and I went to the village of Oxford. We found there a half-dozen houses. This was separated by a single street from a little village called Santa Fe in the State of Missouri. We went over there and talked with the people. We said to them (without telling them who we were or what we were after.) "Why you must have had a great crowd here last Monday." They would say, "Well, I don't know; I didn't see any very great crowd." "How many people did you see here about that time?" "Well, there might have been fifty or sixty—there might have been as many as a hundred on the first day of the election," (for it was held open for two days.) Some of them told us they had heard the officers at the window, on the second day, crying out almost the whole day, calling upon voters to come forward, and yet nobody came. But in the meantime the clerks were busy, or somebody else was busy in writing up 1,628 names upon that long roll of paper.

It was perfectly plain, therefore, that this was a great, a monstrous fraud; and from that day to this, no one in that country has seriously attempted to maintain that it was not. As you all know, those returns were rejected for informality in the returns themselves. Shortly after, there came from another county, in a distant part of the Territory, McGhee county, similar returns of about 1,200 votes. These were still more informal, and we rejected them, because we knew perfectly well they were of the same character. I have not a doubt that if Governor Walker and myself (for it was my duty as secretary to act upon them as well as his duty as Governor) had winked at this fraud; if we had overlooked the informality of the affair; if we had stood upon technicalities, and said that we could not go behind the returns, I have not a doubt that as many more would have been brought in from other parts of the Territory, in order to elect a member of Congress, as well as the whole Legislature. Johnson county was at that time attached to Douglas county, which had a very large *bona fide* population, and by this tremendous fraud at Oxford eight representatives and two or three Councilmen were given to the minority, throwing a majority of the Legislature into their hands. Their purpose was still to maintain the power of the minority by these immense frauds.

I now discovered, for the first time to my entire satisfaction, why it was that the great mass of the people of the Territory had been dissatisfied with their government and were ready to rebel and to throw it off. There never was a moment during my residence in the Territory of Kansas that the people would not have rejected their Government—utterly overthrown it, destroyed it, but for the power of the United States army within the Territory.

The Convention met in October to prosecute its work. The members of this Convention were elected by and represented a small minority of proslavery men—they represented scarcely anybody else.

Mr. President, I had confidently expected that the Convention would have framed that Constitution fairly and properly—that they would have submitted it to the people entire, and that they would have permitted them, by a separate and distinct vote, to determine whether or not they would have slavery within the State. But to my great regret and mortification, when they concluded their work, I saw upon the face of the instrument prepared by them, the plainest indications of predetermination and preconcertedness for continuing the control of the minority by the same means by which it had been maintained from the beginning.

They based the apportionment to the county of Johnson upon the fraudulent returns given at Oxford at the October election. To that almost uninhabited county they gave two Senators out of thirteen, and four Representatives out of thirty-nine. The great preponderance of Representatives was given to the border counties of Missouri. And in providing for the vote upon the Constitution they required no qualification for voters except the fact of *inhabitaney on the day of the election*.

I conscientiously believed that the great mass of the people of Missouri had nothing to do with these shameless violations of law and right in the Territory of Kansas. Those who did participate in them were comparatively few, and were the worst part of the border population—politicians of the lowest, most unscrupulous character.

I had opposed the Lecompton Constitution, not only because I maintained the right of the people to vote upon their fundamental law, but because I saw in that instrument itself the most unjust, the most unfair of all possible provisions. In the schedule to the Constitution, they profess, in a certain way, to submit it to the adoption or rejection of the people; yet they afterwards qualify the matter in such a manner as to give them only the power to vote upon a single feature of the instrument—for the Constitution with slavery, or for the Constitution with no slavery; but for the Constitution at all events, and under all circumstances.

The President of the United States in his special message had declared that the people of the Territory had a fair opportunity to decide whether the State should be a slave State or a free State. Without intending to impugn the motives of the President, far less to question his veracity, I feel bound to say that the statement was in my judgment utterly incorrect.

I would make the same declaration to an audience of Southern men. Leaving out of view the mode in which the Constitution was submitted, that single question upon which they might vote was not presented fairly. The people could merely determine whether or not they would permit the introduction of *more* slaves into the Territory; for the right of those already in the Territory could not be interfered with. I should blush, to present in this way such a question as this to any community upon this continent, and say that it fairly presented to them the question whether they should live under a State Government with slavery or with no slavery. [Great applause.]

If the people of Kansas had been fairly dealt with I do not believe they would have thought for a moment of confiscating the property of the slave holders in the Territory; they would have dealt with them generously.

It had been said that the sole object of the people of Kansas in demanding the right to vote upon their Constitution, was to vote it down, right or wrong. I do not believe the assertion. Some such there might have been, but such was not the sentiment of the mass of the people. The men who have a deep interest in the prosperity of the country were disposed to take the Constitution and vote upon it on its merits.

The Convention understood the will of the people perfectly well; and it was because they understood the will of the people, and because they had designs in express opposition to it, that they refused to submit the Constitution to the people.

When the Convention framed this Constitution, and presented it to the people in the manner they did, you may naturally suppose that there was the most intense and dangerous excitement throughout the Territory. The effect of such proceedings on the part of the Convention, and the gigantic frauds which were perpetrated at the elections on the 21st of December and 4th of January, was to throw power into

the hands of the worst agitators in the Territory, and to give them a voice and influence by which they could rouse the people, and drive them to madness. They did arouse them, and it was well understood, leaking out as it did from their secret conclaves, that they entertained the fixed purpose by force, if necessary, to remove not only the president of the Convention, but every other man of that body who was clothed with power, under the Constitution to carry out its provisions. It happened that before these difficulties became so great, that Governor Walker left the Territory by permission of the President of the United States for the purpose of consulting with the President and his Cabinet in reference to these very matters. We thought that his presence was necessary in Washington city, and upon his departure I was for the second time clothed with the whole power of the executive of the Territory, under the organic law. The people in great masses, and the Legislature that had been elected with almost an unanimous voice, called upon me to convene the Legislature in order that they might take such steps as they could to counteract the misfortune which they conceived was about to befall them in the adoption of this Constitution. [Applause.] I did not doubt for a moment that five to one of the people in Kansas were against the Constitution—deliberately, formally, and determinedly. I knew it, for the people themselves had told me so. I saw them in their masses, I heard them in their public meetings, and of them through their representatives—everywhere they proclaimed their determination not to submit to the imposition of this Constitution.

What was I to do under the circumstances? What might I too have done? You all know what I did. I took the responsibility of calling the Legislature together. [The speaker was here interrupted by a burst of enthusiasm such as we never before witnessed.] And if under the same circumstances I was to be placed there again, I would repeat my action though a thousand scaffolds stared me in the face. [Cheer after cheer here went up for Stanton, and a man in the crowd observed, "these are regular old Jackson times."]

I did not ask Mr. Buchanan to send me to Kansas. He requested me to go there, and I hold in my hand a letter from General Cass, in which he acknowledges the personal sacrifices I made in accepting the appointment, and the favor, which he does me the honor to say I had done the Administration in accepting it. I do not stand here to-night to complain that I have been deprived of a paltry office which I never sought, and from which I never expected or reaped any personal advantages; but I do stand here with that sort of pride in my heart which makes it incumbent upon me, in my judgment, to defend that action for which I have been censured by the highest authority in the land, and appeal to a generous people to sustain me. [Applause.] I feel very proud that here, in the President's own state, among his friends, in this sea of upturned faces, I find that justification which I always hoped to find, and believed I would find, among the people of the United States. [Cheers.]

Suppose that any State in this Union—your own State of Pennsylvania, for instance—should call a convention to make a new Constitution; and suppose, for the sake of argument, that, in express terms, the people clothed that convention with power to frame a Constitution for them, and to put it in operation without submitting it to a vote of the people. If that convention, after being thus authorized, should go to work and frame a Constitution, the provisions of which were utterly obnoxious to the people of Pennsylvania, or four-fifths of them, and the people, under these circumstances should rise up as one man, and demand of your Governor that he should call the Legislature together for the purpose of taking some means to prevent this wrong; that the Legislature was convened, as in the case of Kansas, and a large

majority of the people of the State had voted under the law of the Legislature against the adoption of the Constitution: is there any State in the Union who would hold that that Constitution was binding upon the people of Pennsylvania? [Cries of no, no.] Would you, as Pennsylvanians, submit to that Constitution? [Cries of no; never.] The case is exactly that of Kansas, except that the latter is not near as strong a one for the Administration. The people of that Territory had provided for a convention, but they had not clothed them with power to put the Constitution they agreed upon in operation without submitting it to the people. But the convention attempted to assume the power, and after the Legislature had been called together for the purpose of preventing it, and had authorized an election on the 4th of January, at which more than ten thousand votes were cast against it, the President tells us that he has no official information of that vote. I doubt not that the President's statement is correct; but I tell you that I was present on the 13th or 14th of January when Governor Denver, my successor, formally, in the presence of the Speaker of the House and the President of the Councils opened the votes and counted ten thousand of them, and it was then well understood that a considerable number of precincts had not yet sent in returns. Since that time I have seen by the newspapers that the vote had reached twelve thousand. The whole vote of the election of the 21st of December, held by the authority of the convention, both for and against the slavery clause in the Constitution, was 6,700, and at least one half of that was utterly fraudulent, as is known and will be acknowledged by every fair, intelligent, and candid man in the Territory and on the borders of Missouri, whilst it is evident that on the 4th of January there were from ten to twelve thousand votes cast against the Constitution.

I have heard no charge of fraud against the party who polled this large vote against the Constitution. Even if these gentlemen had been as ready to commit fraud as the other party, there was no necessity for it, and certainly they showed a disposition not to do it, because they threw around the law every possible guard which was necessary to secure honesty.

The real vote of the whole pro-slavery party could not be, Mr. S. thought, more than 3,000 or 3,500; that of the free-State men was from 12,000 to 15,000.

The President had said in his special message that when a Constitution was presented to Congress, it was only necessary to inquire whether its *form* is republican. The speaker thought the word *form* in the Constitution of the United States had a more extensive import than some were disposed to give it. He thought that not only in form, but in substance, it should be republican.

It is against all Democratic principle, said Mr. S.; against all correct views of Government; against the true principle of popular sovereignty under our institutions, that Congress should, under present circumstances, accept the Lecompton Constitution, and force Kansas into the Union under it.

A recent proceeding in the House of Representatives has put this thing to a very severe test—nothing less than the *experimentum crucis*; and that is the resolution of Mr. Harris to refer the Lecompton Constitution to a committee of fifteen, for the purpose of investigating the circumstances under which it was formed. It was proposed, on the other hand, by the friends of the Administration, and I am sorry to say the great mass of the Democratic party, that it should be referred to the Committee on Territories, it being perfectly well known that the great majority of that committee, as I understand, were prepared to force the Constitution through by any and every means consistent with parliamentary rule, supposing they had the majority. A committee, raised under Mr. Harris's resolution would, by parliamentary usage, necessarily have on it a majority opposed to the Con-

stitution, or at least in favor of investigating the circumstances under which it was formed. It was a very hard test for those gentlemen who were disposed to vote for the Constitution, under all circumstances, without inquiry; for if they rejected Mr. Harris's resolution, it would have been evident that they were afraid of investigation; if they adopted it, all these monstrous frauds would be brought to light. I am happy to inform you, that by a vote of one hundred and fourteen to one hundred and eleven in the House of Representatives—a majority of three—that Constitution has gone to the select committee of fifteen.

Mr. Webster came forward and said:

"I propose that we now give three hearty cheers for Hon. Thomas L. Harris, the gallant Representative of Illinois, who has the honor of having proposed in Congress the resolution which will expose the gross frauds by which the will of the majority in Kansas is sought to be defeated."

Here the meeting gave three terrific cheers for Mr. Harris.

As soon as the enthusiasm caused by this motion had subsided, Edward G. Webb moved that three cheers be given for the Hon. Owen Jones, the only representative from Philadelphia county, who had the manliness to do an act of justice in sustaining the motion of Mr. Harris. Mr. Webb remarked that the other representatives from Philadelphia would understand the meaning of this significant endorsement.

The meeting responded to this motion by the most vociferous and heartfelt enthusiasm.

Mr. E. G. Webb proposed three cheers for Owen Jones, representing in Congress a portion of Philadelphia and Montgomery county, the only Democrat from the city and county of Philadelphia, who had the manliness to do a righteous act. The response was again most powerful.

Mr. Stanton, resuming his remarks, said: I only regret that the President of the United States is not here to-night. I wish he could hear the voice of the people of his own State, as he will be under the necessity of hearing the voice of the people of all the States of this Union.

Now, to look a little further into this Lecompton Constitution. On the 4th of January an election was held for State officers. As you are aware, the great mass of the free-State men in the Territory, being utterly opposed to the Constitution, refused to go into the election.

Under these circumstances, the vote between the free-State men and the pro-slavery men, according to the returns, was very nearly equally balanced; but it is well known, and I believe will be shown by the investigation of the House committee, that notwithstanding a great portion of the free-State men refused to vote, that they still carried the election. Certainly, if the monstrous frauds at Oxford, Shawnee, and Kickapoo were rejected, the free-State men, notwithstanding their small vote, would have an overwhelming majority.

But the President of the Convention, General John Calhoun, has the return of that election in his pocket. I have nothing to say in regard to his character or purposes. I have no charge to make against him, except that it is an extraordinary fact that having deliberately and formally invited the acting Governor, Mr. Denver, the Speaker of the House, and the President of the Council, to be present at the opening of the vote, and the two latter gentlemen being satisfied, as they have shown in their public card, that the free-State party had elected their own candidates—I say it is extraordinary that he leaves the Territory and comes to Washington without publicly having made known the result of that election. I do not know what result will be announced by General Calhoun. I think though, from all the light I have on the subject, that it is probable he intends to give the certificate of election to his own party.

It is possible, as has been suggested in some of the newspapers, that he has gone to Washington for the purpose of consulting on the subject [laughter.] Mr. Stanton here proved that if General Calhoun had given the certificates to the free-State men, that they would have resigned them at once, and set about making a new government; but if he should give them to the pro-slavery men, he was certain that bloodshed and civil war would follow. He had no hostility to the pro-slavery party, and he was not disposed to do them injustice. It would have been very agreeable to him to have found them in the majority when he went to Kansas, and he would have battled for their rights, if invaded, in the same manner, and by the same means, and with the same sacrifices, as he had battled for the will of the majority against them. [Applause.] He was of opinion that if Mr. Buchanan attempted to maintain the State Government imposed by Calhoun, as he promised to do, with the arms of the United States, that a civil war would begin, the end of which no man there could foretell.

"The power of armies is a visible thing,
Formed and circumscribed in time and space,
But who the limits of that power can trace,
Which a brave people into light can bring
Or hide at will—for freedom combating,
By just revenge inflamed. No foot can chase,
No eye can follow to a fatal place,
That power, that spirit, whether on the wing
Like the strong wind, or sleeping like the wind
Within its awful caves. From year to year
Springs the indigenous produce far and near.
No craft the subtle element can bind,
Rising, like water from the soil, to find
In every nook a lip which it may cheer."

No, gentlemen, all over this land—North, South, East, and West—armed men will spring up to save the rights of the people from utter destruction. [Cheers.] I had intended to say something to you on another topic, and that is the design which it is perfectly well understood is entertained by a considerable number of Southern gentlemen in Washington, to break up the Union if the Lecompton Constitution should be defeated in Congress. I believe, gentlemen, although I do not know the fact, that it has been this threat which has operated upon Mr. Buchanan. I know perfectly well that up to a certain period last fall, not only Mr. Buchanan was ardently in favor of Governor Walker's policy, but almost the entire pro-slavery party in Kansas had gradually come to acquiesce in it, and finally to agree, or hold themselves ready to agree, that the Constitution should be submitted to the people for adoption or rejection; but suddenly and unexpectedly I saw in the conversation and conduct of their leaders a change, and I heard that they were in correspondence with the leading disunionists in the South, and that they had assurances not only that they would be supported by Southern Senators, but would have enough Northern Senators to defeat Mr. Walker's nomination and my own, and that they were backed by Mr. Buchanan. How true it is in regard to Mr. Buchanan I do not know, but from the conduct of those gentlemen in the Territory, and from developments which have since been made, I think it extremely probable that at this time a combined attempt was made, so to speak, upon Mr. Buchanan to intimidate him, or at least to inspire him with a serious apprehension that the Republic was in danger from the designs of these disunionists. If this conjecture of mine is true, based as it is upon the facts which I have mentioned, Mr. Buchanan has thrown away the most glorious opportunity that ever man had to serve his countrymen, and to place himself upon a pedestal of immortal honor.

If he had maintained the position with which he set out, with which at least Governor Walker and myself understood him to set out in this Kansas business (and a great many others understood the same thing,)

if he had pursued that course to the end, and sustained the policy inaugurated by Governor Walker, what would have been the result? The great majority of southern States—that true-hearted Democracy of Tennessee, of Kentucky, of North Carolina, of Texas, of Louisiana, and possibly of other southern States, would have rallied around the standard of right, of the Constitution; they would have sustained him, and he would have had the power to crush the conspirators, whose design it might have been to break up this Government. [Great applause.] I do not doubt the rectitude of the President's motives; I do not pretend to whisper a suspicion that he has done anything which he does not believe to be right; but taking the other ground, throwing away that golden opportunity, he has, in my judgment, launched this Government upon a sea of trouble, on which with all our exertions, it may possibly, and perhaps must be, that (without the interference of Him who has preserved our country from its infancy through many stormy periods down to the present hour,) our institutions may be wrecked forever—the light of freedom in this world extinguished in all time to come. [A voice.—That cannot be.] I hope not.

[After a few words in reference to the probable effect of the recognition of the Lecompton Constitution in dividing the country again into sectional parties, Mr. S. closed, amid great applause.]

The chairman stated that Governor Walker, unexpectedly and unavoidably absent, had sent a letter, just received, which would be read.

Col. W. E. Lehman read it, as follows:

HOBOKEN, N. J., Monday, 4 o'clock, Feb. 8, 1858.

DEAR SIR: In consequence of my absence from New York, I only heard a few moments since, that Monday, the eighth of this month, was fixed as the day for the meeting, at Philadelphia, of that portion of her indomitable Democracy opposed to fixing the Lecompton Constitution on the people of Kansas. I supposed it was later. My engagements at New York are so imperative as to prevent my absence from the city, but my whole heart will be with you on this occasion. As a native of the glorious Keystone State, as a graduate of her noble University at Philadelphia, where have been spent so many happy days of my youth and manhood, I look to this great meeting with the deepest interest. In your city stands the Hall of Independence, and there on the 4th of July, 1776, was first promulgated the great truth, that all free government is based upon "*the consent of the governed*." Let this truth be inscribed on your banners and written on your hearts. Let it be proclaimed by you that this great principle shall neither be evaded by technical quibbles, nor subverted by frauds and forgeries.

The real question is this: Is the Lecompton Constitution founded on the consent of the people of Kansas? You know it is not, and therefore any act of Congress adopting this Constitution, is not *admitting* a State on the request of her people into the Union, in accordance with the language of the Federal compact, but *forcing* a State into the Union against her will. Such an act would be a clear violation of the Constitution of the United States, State and popular sovereignty, of the Kansas and Nebraska bill, and of the fundamental principles of free government.

May the noble Democracy of Philadelphia unfurl to the breeze the banner of self-government, and under its folds, as one of the native sons of Pennsylvania, I will march with you in the ranks to the rescue of the liberties of our country.

Yours, truly R. J. WALKER.

COLONEL JOHN W. FORNEY.

When the reading of the letter was finished, three hearty cheers were given for Gov. Walker.

The meeting then adjourned with many exhibitions of enthusiasm.